

Official

Docket No.: 42390P270C

#4/B
5-23-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mohan V. Kalkunte, et al.

Examiner: Frank Duong

Application No.: 09/213,096

Art Group: 2664

Filed: December 17, 1998

For: METHOD AND APPARATUS FOR
PRESERVING FLOW ORDER ACROSS
LINKS OF A MULTI LINK TRUNK**ELECTION AND PRELIMINARY AMENDMENT**Assistant Commissioner for Patents
Washington, DC 20231-9998

Sir:

In the Office Action dated April 9, 2002, the Examiner contends that Applicant claims *two* distinct inventions in the above-identified United States Patent Application. Thus, pursuant to 35 U.S.C. § 121, the Examiner requires Applicant(s) to restrict his/her/their Application to one of the alleged *two* inventions. In compliance with 35 U.S.C. § 121, Applicant(s) elect(s) the *first* group (claims 1-8 and 21-24). Since claim 24 depends on claim 14 (non-elected claim), it is submitted that the first group for election should be claim 1-8 and 21-23. Thus, claim 24 is cancelled without prejudice because that claim belongs to group II (non-elected claims).

Applicant respectfully requests the Examiner to confirm that claim 24 does belong to group II.

Please amend the above-identified Application as follows:

IN THE CLAIMS

Following is a complete set of claims as amended with this Response. This complete set of claims excludes non-elected claims 9-20 and 24, cancelled without prejudice, and includes elected claims 1-8 and 20-23 and new claims 25-34.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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*Official***FACSIMILE COVER SHEET**Deliver to: E.DuongArt Group: 2664Company Name: USPTOFacsimile No.: 703-872-9314 Date: May 9, 2002From: William W. Schaal, Reg. No. 39,018Our Docket No.: 82771P270C Number of pages 16 including this sheet.Application: 09/213,096 Filing Date: 12/17/1998

Subject

Remarks Attached please find the Election and Preliminary Amendment for filing.

Confidentiality Note: The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

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<p>Application No.: 16/213,068</p> <p>Date Mailed: 03/02/2012</p> <p>Title: Method and Apparatus for Preserving Flame Ordering Access Across Aggregate Links Between Sources and Destinations Nodes.</p>	<p>Filing Date: 12/17/98</p> <p>Docket Due Date: 05/02/2022</p> <p>BSTC Docket #: 082771.P270C</p>	<p>Client: Abott Laboratories Limited (Fay, et al.)</p>	<p>Ady/Sec: WWS/tert</p>
<p>Inventor(s)</p> <p>Kalkunte, Nargun, Crawford</p> <p>The following has been received in the U.S. Patent & Trademark Office on the date indicated below:</p>			
<p><input checked="" type="checkbox"/> Amendment: Preliminary (11 pages)</p> <p><input type="checkbox"/> Appeal Brief & two copies (— pages)</p> <p><input type="checkbox"/> Application: (— pages w/ cover & abstract)</p> <p><input type="checkbox"/> Assignment & Cover Sheet (— pages)</p> <p><input checked="" type="checkbox"/> Certificate of Facsimile</p> <p><input type="checkbox"/> Continued Prosecution Application (CPA)</p> <p><input type="checkbox"/> Declaration & FOA (— pages)</p> <p><input type="checkbox"/> Drawings: — sheets, — figures</p> <p><input type="checkbox"/> Express Mail No: —</p> <p><input type="checkbox"/> Extension of Time: —</p> <p><input checked="" type="checkbox"/> Fee Transmittal (original & copy)</p> <p><input type="checkbox"/> Other _____</p>			
<p><input type="checkbox"/> Information Disclosure Statement & PTO/SB/RS (— pages)</p> <p><input type="checkbox"/> Issue Fee Transmittal (original & copy)</p> <p><input type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)</p> <p><input type="checkbox"/> Notice of Appeal</p> <p><input type="checkbox"/> Petition for: —</p> <p><input type="checkbox"/> Request for Continued Examination (RCE)</p> <p><input type="checkbox"/> Reply Brief (— pages)</p> <p><input type="checkbox"/> Request to Rescind Previous Nonpublication Request</p> <p><input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter</p> <p><input type="checkbox"/> Terminal Disclaimer</p> <p><input type="checkbox"/> Transmittal of Formal Drawings</p> <p><input type="checkbox"/> Transmittal of Publication Fee Due</p> <p><input checked="" type="checkbox"/> Transmittal Letter</p> <p><input type="checkbox"/> Check No. in the Amount of _____</p> <p><input type="checkbox"/> Check No. in the Amount of _____</p>			

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NO. 1735 P. 3

PTO/SB/21 (08-00)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

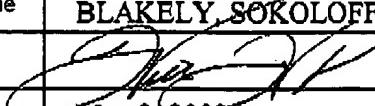
(to be used for all correspondence after initial filing)

		Application No.	09/213,096
		Filing Date	December 17, 1998
		First Named Inventor	Mohan V. Kalkunte
		Group Art Unit	2664
		Examiner Name	F. Duong
Total Number of Pages in This Submission	14	Attorney Docket Number	82771P270C

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/>
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

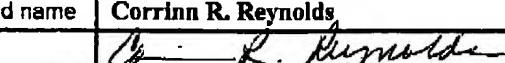
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	William W. Schaal, Reg. No. 39,018 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	May 9, 2002

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile under 37 CFR §1.8 on:

May 9, 2002

Typed or printed name	Corrinn R. Reynolds
Signature	
Date	May 9, 2002

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.TOTAL AMOUNT OF PAYMENT (\$)
0,00

Complete If Known

Application Number	09/213,096
Filing Date	December 17, 1998
First Named Inventor	Mohan V. Kalkunte
Examiner Name	F. Duong
Group/Art Unit	2664
Attorney Docket No.	82771P270C

METHOD OF PAYMENT (check one)

 Check Credit card Money Order Other None
 Deposit Account

Deposit Account Number **02-2666**
 Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

-
- Charge fee(s) indicated below
-
- Credit any overpayments
-
-
- Charge any additional fee(s) during the pendency of the application
-
-
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)		(\$)			

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
	21	24*	0 X 18.00 =	\$0.00
Independent Claims	4	4*	0 X 84.00 =	\$0.00

Multiple Dependent		Large Entity		Small Entity	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	260	204	140	Multiple Dependent claim, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$)			0.00

*Or number previously paid, if greater. For Reissues, see below

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath			
127	50	227	25	Surcharge - late provisional filing fee or cover sheet			
139	130	139	130	Non-English specification			
147	2,620	147	2,620	For filing a request for ex parte reexamination			
112	920*	112	920*	* Requesting publication of SIR prior to Examiner action			
119	1,840*	113	1,840*	* Requesting publication of SIR after Examiner action			
115	110	215	55	Extension for reply within first month			
118	400	216	200	Extension for reply within second month			
117	920	217	400	Extension for reply within third month			
118	1,440	218	720	Extension for reply within fourth month			
128	1,960	228	980	Extension for reply within fifth month			
119	320	219	160	Notice of Appeal			
120	920	220	160	Filing a brief in support of an appeal			
121	280	221	140	Request for oral hearing			
138	1,510	138	1,510	Petition to Institute a public use proceeding			
140	110	240	55	Petition to revive - unavoidable			
141	1,280	241	640	Petition to revive - unintentional			
142	1,280	242	640	Utility issue fee (or reissue)			
143	480	243	230	Design issue fee			
144	820	244	310	Plant issue fee			
122	130	122	130	Petitions to the Commissioner			
123	50	123	50	Processing fee under 37 CFR 1.17(q)			
128	180	126	180	Submission of Information Disclosure Stmt			
581	40	581	40	Recording each patent assignment per property (times number of properties)			
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.128(g))			
149	740	249	370	For each additional invention to be examined (37 CFR § 1.128(b))			
179	740	278	370	Request for Continued Examination (RCE)			
188	900	189	900	Request for expedited examination of a design application			
Other fee (specify)							
* Reduced by Basic Filing Fee Paid							
SUBTOTAL (3)							

SUBTOTAL (3) (\$)

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	William W. Schaal	Registration No. (Attorney/Agent)	39,018
Signature	Telephone (714) 557-3800		
Date	05/09/02		

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